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**TRANSMITTAL
FORM**

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Total Number of Pages in This Submission

Application Number

10/720,594

Filing Date

November 25, 2003

First Named Inventor

NEWMAN, Frederick M.

Art Unit

3661

Examiner Name

Attorney Docket Number

13526.0025.NPUS00

ENCLOSURES (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Terminal Disclaimer	<input checked="" type="checkbox"/> Other Enclosure(s) (please identify below):
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<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> CD, Number of CD(s) _____	POSTCARD
	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Certified Copy of Priority Document(s)	Remarks	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application		
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	HOWREY SIMON ARNOLD & WHITE LLP		
Signature			
Printed name	MATTHEW F. STEINHEIDER		
Date	Matthew F. Steinheider 11/18/04	Reg. No.	47,968

CERTIFICATE OF EXPRESS MAIL

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as EXPRESS MAIL Post office to Addressee" in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, Number: EV 317619480 US, on the date shown below:

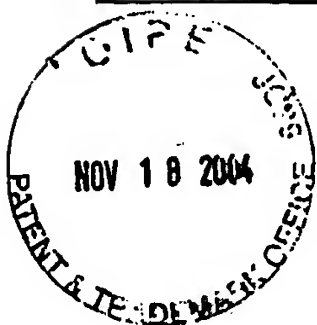
Signature			
Typed or printed name	Matthew F. Steinheider	Date	November 18, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Frederic M. Newman

Serial No.: 10/720,594

Confirmation No.: 5037

Filed: November 25, 2003

For: CROWN OUT-FLOOR OUT DEVICE
FOR A WELL SERVICE RIG

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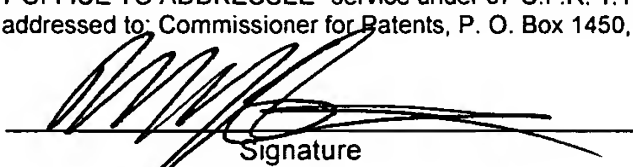
Group Art Unit: 3661

Examiner: Unknown

Att'y Docket: 13526.0025.NPUS00

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents
P. O. Box 1450
Alexandria VA 22313-1450

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In response to the Office Action mailed on October 27, 2004 Applicant requests the following:

TRAVERSAL OF RESTRICTION REQUIREMENT:

Applicant traverses the restriction requirement on the grounds that the inventions are not distinct as the Examiner argues, and therefore the Examiner will not be burdened in examining all the claims.

The Examiner argues that the inventions are distinct because they are patentably distinct. There are 2 criteria for a proper restriction requirement: 1) the inventions must be independent or distinct as claimed; and 2) there must be a serious burden on the Examiner. MPEP § 803. In this case, the inventions are not as distinct as the examiner claims. Species 1 is drawn to controlling the speed of a traveling block. Species 2 is drawn to controlling the momentum of a traveling block. Momentum and velocity are mathematically related. $\text{Momentum} = \text{mass} \times \text{velocity}$. Therefore, in essence, the claims of Species 2 are very similar to those of Species 1, the single exception being that Species 1 controls velocity, while Species 2 controls a mass X velocity value.

It is respectfully submitted that during the searching of the prior art for the limitations recited in the claims of the provisionally elected Species 1, the Examiner will necessarily search the classes that include Species 2. Therefore, the Examiner will not be subjected to multiple searches and thus the current situation does not constitute an undue burden for the Examiner. In view of the above arguments, Applicant requests that the restriction requirement be reconsidered and withdrawn, and all the claims be examined together on the merits.

PROVISIONAL ELECTION OF SPECIES 1:

Applicant provisionally requests that the Examiner conduct the examination of the above referenced application based on Species.

Applicant requests for any extension of time that may be deemed necessary to further the prosecution of this application.

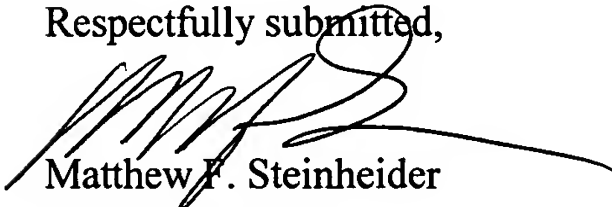
Applicant's representative authorizes the Commissioner to charge any additional fees which may be required, or credit any overpayment, to Deposit Account No. 01-2508, referencing Order No. 13526.0025.NPUS00.

In order to facilitate the resolution of any issues or questions presented by this paper, Applicants respectfully request that the Examiner directly contact the undersigned by phone to further the discussion.

Serial No.: 10/720,594
Confirmation No.: 5037
Applicant: Newman
Atty. Ref.: 13526.0025.NPUS00

In order to promote the prosecution of this application, the Examiner is authorized to contact the undersigned by electronic mail. Please address all e-mail to:
steinheiderm@howrey.com

Respectfully submitted,



Matthew F. Steinheider
Reg. No. 47,968
Tel. 713 787 1516
Date: 11/18/01